

Filed

NOV 02 2012

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

BRIAN YOUNG,

Petitioner,

vs.

ALAMEDA COUNTY SUPERIOR
COURT,

Respondent.

No. C 12-04015 EJD (PR)

ORDER OF DISMISSAL

On July 13, 2012, Petitioner, a state prisoner proceeding pro se, filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On the same day, Petitioner was notified that he must either pay the full filing fee or file an in forma pauperis ("IFP") application within thirty days or the case would be dismissed. (Docket No. 2.) On September 24, 2012, the Court granted Petitioner a thirty day extension of time to file a complete IFP application. (Docket No. 5.)

The deadline has since passed and Petitioner has failed to comply with the Court's order. Accordingly, this case is DISMISSED without prejudice for failure to either pay the filing fee or submit a complete IFP application.

The Clerk shall terminate any pending motions and close the file.

DATED: 11/1/12


EDWARD J. DAVILA
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

BRIAN YOUNG,

Petitioner,

v.

ALAMEDA COUNTY SUPERIOR COURT,

Respondent.
_____ /

Case Number C 12-04015 EJD (PR)

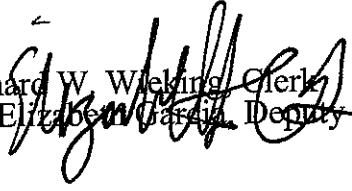
CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on 11/02/12, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) inter-office delivery receptacle located in the Clerk's office.

Brian Young
T-15087
San Quentin State Prison
San Quentin, CA 94974

DATED: 11/02/12

Richard W. Wieking, Clerk
By:  Elizabeth Garcia, Deputy Clerk